

**AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Federal Clean Water Act as amended, (33 U.S.C. §§1251 et seq.; the "CWA"), and the Massachusetts Clean Waters Act, as amended, (M.G.L. Chap. 21, §§26-53),

**Avon Custom Mixing Services, Inc.**

is authorized to discharge from a facility located at

**Division of Chase and Sons  
55 High Street  
Holbrook, MA 02343**

to receiving water named

**Trout Brook  
Taunton River Basin (62)**

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein.

This permit shall become effective on the date of signature.

This permit and the authorization to discharge expire at midnight, five (5) years from the effective date.

This permit supersedes the permit issued on September 30, 1986.

This permit consists of 14 pages in Part I including effluent limitations, monitoring requirements; Attachment A, Freshwater Chronic Toxicity Test Procedure & Protocol; Attachment B, Sludge Guidance; and 35 pages in Part II including General Conditions and Definitions.

Signed this 19<sup>th</sup> day of November, 2001

/signature on file/

Linda M. Murphy,

Director

Office of Ecosystem Protection

Environmental Protection Agency

Boston, MA

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Director

Division of Watershed Management

Bureau of Resource Protection

Department of Environmental Protection

Commonwealth of Massachusetts

Boston, MA

## PART I

## A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

1. During the period beginning the effective date and lasting through expiration, the permittee is authorized to discharge treated effluent from outfall serial number 001 to Trout Brook. The discharge is comprised of sanitary wastewater. Such discharges shall be limited and monitored by the permittee as specified below.

<u>Effluent Characteristic</u>	<u>Units</u>	<u>Discharge Limitation</u>			<u>Monitoring Requirement</u>	
		<u>Average Monthly</u>	<u>Average Weekly</u>	<u>Maximum Daily</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	GPD	1500	----	3000	Continuous <sup>1</sup>	Meter
BOD <sub>5</sub>	mg/l	30	45	----	1/Week <sup>2</sup>	24-Hour Composite <sup>3</sup>
	lbs/day	0.375	0.563		1/Week <sup>2</sup>	24-Hour Composite <sup>3</sup>
Total Suspended Solids (TSS)	mg/l	30	45	----	1/Week <sup>2</sup>	24-Hour Composite <sup>3</sup>
	lbs/day	0.375	0.563		1/Week <sup>2</sup>	24-Hour Composite <sup>3</sup>
pH		(See Condition I.A.1.b. on Page 5)			1/Day	Grab
Dissolved Oxygen	mg/l	minimum 6			1/Day	Grab
Fecal Coliform Bacteria <sup>4</sup>	cfu's per 100 ml	200	----	400	1/Week	Grab
Total Residual Chlorine <sup>5</sup> (April 1 through October 31)	mg/l	0.053	----	0.091	1/Day	Grab
Total Ammonia Nitrogen, as N (April 1 through October 31)	mg/l	1	1	2	1/Week	24-Hour Composite <sup>3</sup>
	lbs/day	0.0125	0.0125	0.02502	1/Week	24-Hour Composite <sup>3</sup>
Phosphorous (April 1 through October 31)	mg/l	0.2	----	----	1/Month	24-Hour Composite <sup>3</sup>

Phosphorous (November 1 through March 31)	mg/l	Report	----	----	1/Month	24-Hour Composite <sup>3</sup>
Copper, Total	ug/l	29	----	42	1/Quarter	24-Hour Composite <sup>3</sup>
Chronic NOEC <sup>6,7,9</sup>	%	----	----	> 21	4/year <sup>7</sup>	24-Hour Composite <sup>3</sup>
LC <sub>50</sub> <sup>6,8,9</sup>	%	----	----	>100	4/year <sup>7</sup>	Grab

**A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

- During the period beginning the effective date and lasting through expiration, the permittee is authorized to discharge non-contact cooling water from Banbury machines, mills and an extruder combined with storm water runoff from outfall serial number 002 to Trout Brook. Such discharges shall be limited and monitored by the permittee as specified below. Dry weather samples shall be reported each month and wet weather samples shall be reported twice a year.

<u>Effluent Characteristic</u>	<u>Units</u>	<u>Discharge Limitation</u>			<u>Monitoring Requirement</u>	
		<u>Average Monthly</u>	<u>Average Weekly</u>	<u>Maximum Daily</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	MGD	Report	----	0.15	Continuous <sup>1</sup>	Estimate
Temperature	°F	----	----	85	1/Month	Four Grabs
Total Suspended Solids	mg/l	20	----	30	1/Month	Grab
Oil and Grease	mg/l	----	----	15	1/Month	Grab
Zinc	ug/l	Report	----	----	1/Quarter	Grab

## Footnotes:

1. For flow, report maximum and minimum daily rates and total flow for each operating date. This is an annual average limit, which shall be reported as a rolling average. The first value will be calculated using the monthly average flow for the first full month ending after the effective date of the permit and the eleven previous monthly average flows. (e.g. If the permit is effective on 9/15/00, the first reported annual average will be taken from the October 2000 DMR and the previous eleven months average flows.) Each subsequent month's DMR will report the annual average flow for the current month and the previous 11 months.
2. Sampling required for influent and effluent.
3. A 24-hour composite will consist of at least twenty-four (24) grab samples taken during a working day.
4. Fecal coliform monitoring will be conducted from April 1 through October 31<sup>st</sup> only, to reflect the seasonal chlorination. This is also a State certification requirement. Fecal coliform discharges shall not exceed a monthly geometric mean of 200 colony forming units per 100 ml, nor shall they exceed 400 cfu per 100 as a daily maximum. This monitoring shall be conducted concurrently with the TRC sampling as described below.
5. The minimum detection level (ML) for total residual chlorine is defined as 50 ug/l. This value is the minimum detection level for chlorine using EPA approved methods found in Standards Methods for the Examination of Water and Wastewater, 20<sup>th</sup> Edition, Method 4500 CL-E and G, or United States Environmental Protection Agency Manual of Methods of Analysis of Water and Wastes, Method 330.5. One of these methods must be used to determine total residual chlorine. For effluent limitations less than 50 ug/l, compliance/non-compliance will be determined based on ML. Sample results of 50 ug/l or less shall be reported as zero on discharge monitoring reports.
6. The permittee shall conduct chronic (and modified acute) toxicity tests four times per year. The chronic test may be used to calculate the acute LC<sub>50</sub> at the 48 hour exposure interval. The permittee shall test the daphnid, Ceriodaphnia dubia and fathead minnows, Pimephales promelas. Toxicity test samples shall be collected on the second week of February, May, August, and November. Results are to be submitted by the 30th day of the month after the sample i.e. March 30th, June 30th, September 30th, and December 30<sup>th</sup>, respectively. The tests must be performed in accordance with tests procedures and protocols specified in Attachment A of this permit.

Test Dates	Submit Results By:	Test Species	Acute Limit LC <sub>50</sub>	Chronic Limit C-NOEC
February	March 30 <sup>th</sup>	Ceriodaphnia	≥ 100%	≥ 21%
May	June 30 <sup>th</sup>	dubia (Daphnid)		
August	September 30 <sup>th</sup>	and Pimephales		
November	December 30 <sup>th</sup>	(Fathead minnows)		
		See Attachment A		

After submitting four consecutive sets of WET test results, all of which demonstrate compliance with the WET permit limits, the permittee may request a reduction in the frequency of required WET testing. The permittee is required to continue testing at the frequency specified in the permit until notice is received by certified mail from EPA that the

WET testing requirement has been changed.

7. C-NOEC (chronic-no observed effect concentration) is defined as the highest concentration of toxicant or effluent to which organisms are exposed in a life cycle or partial life cycle test which causes no adverse effect on growth, survival, or reproduction at a specific time of observation as determined from hypothesis testing where the tests results exhibit a linear dose-response relationship, the permittee must report the lowest concentration where there is no observable effect. The “21% or greater” limit is defined as a sample which is composed of 21% (or greater) effluent, the remainder being dilution water. This is a maximum daily limit derived as a percentage of the inverse of the dilution factor of 4.8.
8. The  $LC_{50}$  is the concentration of effluent which causes mortality to 50% of the test organisms. Therefore, a 100% limit means that a sample of 100% effluent (no dilution) shall cause no more than 50% mortality rate.
9. If toxicity test (s) using receiving water as diluent show the receiving water to be toxic or unreliable, the permittee shall follow procedures outlined in **Attachment A Section IV., Dilution Water** in order to obtain permission to use an alternate dilution water. In lieu of individual approvals for alternate dilution water required in **Attachment A**, EPA-New England has developed a Self-Implementing Alternative Dilution Water Guidance document (called “Guidance Document”) which may be used to obtain automatic approval of an alternate dilution water, including the appropriate species for use with that water. If this Guidance is revoked, the permittees shall revert to obtaining approval as outlined in **Attachment A**. The “Guidance Document” has been sent to all permittees with their annual set of DMRs and Revised Updated Instructions for Completing EPA’s Pre-Printed NPDES Discharge Monitoring Report (DMR) Form 3320-1 and is not intended as a direct attachment to this permit. Any modification or revocation to this “Guidance Document” will be transmitted to the permittees as part of an annual DMR instruction package. However, at any time, the permittee may choose to contact EPA-New England directly using the approach outlined in **Attachment A**.

Part I.A.2 (continued).

- a. The discharge shall not cause a violation of the water quality standards of the receiving waters.
- b. The pH of the effluent shall not be less than 6.5 nor greater than 8.3 at any time, unless these values are exceeded due to natural causes (314 CMR 4.03(5)).
- c. The discharge shall not cause objectionable discoloration of the receiving waters.
- d. The effluent shall contain neither a visible oil sheen, foam, nor floating solids at any time.
- e. The discharge shall not contain materials in concentrations or combinations which are hazardous or toxic to human health, aquatic life of the receiving surface waters or which would impair the uses designated by its classification.
- f. The discharge shall not impart color, taste, turbidity, toxicity, radioactivity or other

properties which cause those waters to be unsuitable for the designated uses and characteristics ascribed to their use.

- g. Notwithstanding specific conditions of this permit, the effluent must not lower the quality of any classified body of water below such classification, or lower the existing quality of any body of water if the existing quality is higher than the classification.
- h. Chemicals (i.e. disinfecting agents, detergents, emulsifiers, etc.), bioremedial agents including microbes shall not be added to the collection and treatment systems without prior approval by EPA and the DEP to prevent particulate matter carryover into the Trout Brook.
- i. EPA may modify this permit in accordance with EPA regulations in 40 Code of Federal Regulations (CFR) §122.62 and §122.63 to incorporate more stringent effluent limitations, increase the frequency of analyses, or impose additional sampling and analytical requirements.
- j. Samples taken in compliance with the monitoring requirements at outfall 001 shall be taken at the end of the discharge pipe and prior to mixing with any non-contact cooling water and/or stormwater from outfall 002. Samples taken in compliance with the monitoring requirements at outfall 002 shall be taken at the pond outfall and prior to mixing with any other stream.
- k. Samples taken for outfall 002 shall be taken twenty minutes after the beginning of a rainstorm from outfall 002 for all of the parameters listed. Wet weather sampling shall be done twice a year, once in April and once in September. If there are no wet weather events in April and/or September, then the permittee shall collect wet weather samples in the following months, (i.e. May and October) and shall follow this protocol until the data is reported.

Part I.A.3.

All existing manufacturing, commercial, mining and silvicultural dischargers must notify the Director as soon as they know or have reason to believe:

- a. That any activity has occurred or will occur which would result in the discharge, on a routine basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following “notification levels:”
  - (1) One hundred micrograms per liter (100 ug/l);
  - (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug/l) for 2,4-dinitrophenol; and one milligram per liter (1 mg/l) for antimony;
  - (3) Five (5) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 C.F.R. §122.21(g)(7); or
  - (4) Any other notification level established by the Director in accordance with

40 C.F.R. §122.44(f).

- b. That any activity has occurred or will occur which would result in the discharge, on a non-routine or infrequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following “notification levels:”
  - (1) Five hundred micrograms per liter (500 ug/l);
  - (2) One milligram per liter (1 mg/l) for antimony;
  - (3) Ten (10) times the maximum concentration value reported for that pollutant in the permit application in accordance with 40 C.F.R. §122.21(g)(7).
- c. That they have begun or expect to begin to use or manufacture as an intermediate or final product or byproduct any toxic pollutant which was not reported in the permit application.

**B. SCHEDULE OF COMPLIANCE**

Since the copper, phosphorus, total ammonia nitrogen, and the whole effluent toxicity tests limits are new limits, the permit allows a compliance schedule of one year from the effective date of the permit for the permittee to come into compliance with these new limits. Therefore, for the first year, the permittee will report only the copper, phosphorus, total ammonia nitrogen concentrations and the results from the WET test while working towards meeting the limits.

**C. TOXICS CONTROL**

- a. The permittee shall not discharge any pollutant or combination of pollutants in toxic amounts.
- b. Any toxic components of the effluent shall not result in any demonstrable harm to aquatic life or violate any state or federal water quality standard which has been or may be promulgated. Upon promulgation of any such standard, this permit may be revised or amended in accordance with such standards.

**D. NUMERICAL EFFLUENT LIMITATIONS FOR TOXICANTS**

EPA or DEP may use the results of the toxicity tests and chemical analyses conducted pursuant to this permit, as well as national water quality criteria developed pursuant to Section 304(a)(1) of the Clean Water Act (CWA), state water quality criteria, and any other appropriate information or data, to develop numerical effluent limitations for any pollutants, including but not limited to those pollutants listed in Appendix D of 40 CFR Part 122.

**E. BEST MANAGEMENT PRACTICES PLAN**

The permittee shall update the existing Best Management Practices (BMP) plan and implement

the updated plan to achieve the stated objectives which conforms to the following requirements:

1. General Conditions

a. General Objectives

For purposes of this part, the terms “pollutant” or “pollutants” refer to any substance listed as toxic under Section 307 (a)(1) of the Clean Water Act, oil, as defined as 311(a)(1) of the Act, and any substance listed as hazardous under Section 311 of the Act. The objectives of the BMP plan are to minimize the potential for violations of terms of the permit; to protect the designated water uses of the surrounding surface water bodies, and to mitigate pollution from material storage areas, in-plant transfer, plant site runoff, process and material handling areas, loading and unloading operations, sludge and waste disposal areas, drainage from raw material storage areas, and accidental spills. Both wet-weather and dry-weather conditions are to be considered in the BMP plan.

b. Implementation

An updated BMP plan shall be updated within 180 days of the effective date of the permit and a copy of the final BMP plan shall be available to EPA and the State upon request.

This certification shall be signed in accordance with NPDES General Requirements, Part II.D.2. Implementation of all aspects of the plan shall commence no later than 12 months after the effective date of the permit.

c. General Requirements

The BMP plan shall:

- (1) Be documented in narrative form, and shall include any necessary plot plans, drawings, or maps. The plan must describe activities, materials, and physical features of the facility that may contribute significant amounts of storm water runoff or, during periods of dry weather result in pollutant discharges through separate storm sewers or storm water drainage systems.
- (2) Establish specific objectives for the control of toxic and hazardous pollutants.
  - (a) Each facility component or system will be examined for its potential for causing a release of significant amounts of toxic and hazardous pollutants to surface waters due to equipment failure, improper operation, natural phenomena such as precipitation, etc.

Locations at which bypasses of the treatment systems may occur as well as projected conditions under which a bypass may be necessary will be submitted.



- (b) Where experience indicates a reasonable potential for equipment failure (e.g. a tank overflow or leakage), natural phenomena (e.g., precipitation), or other circumstances to result in significant amounts of toxic or hazardous pollutants reaching surface waters, the plan shall include a prediction of the direction, rate of flow and total quantity of toxic or hazardous pollutants which could be discharged, from the facility as a result of each condition or circumstances.
- (3) Establish specific best management practices to meet the objectives identified under Part I.E.1.c.(2) of this section, addressing each component of system capable of causing a release of significant amounts of toxic or hazardous pollutants to surface waters. Examples are: specific practices to minimize and/or control the use of bypasses shall be identified, maximum flow rate control through the wastewater treatment system, etc.
- (4) Describe any existing data on the quality or quantity of stormwater discharges from the facility. The description should include a discussion of the methods used to collect and analyze the data.
- (5) Include any special conditions established in accordance with Part I.E.2 Specific Conditions, below.
- (6) Be reviewed and signed by the operations manager of the facility.
- d. Specific Requirements
  - 1. The plan shall be consistent with the general guidance contained in the publication entitled "NPDES Best Management Practices Guidance Documents" and shall consider the following base line BMP's as a minimum:
    - (a) BMP Committee
    - (b) Report BMP Incidents
    - (c) Employee Training
    - (d) Inspections and Records
    - (e) Preventive Maintenance
    - (f) Good Housekeeping
    - (g) Material Compatibility
- e. Documentation

The permittee shall maintain the BMP plan at the facility and shall make the plan available to the Regional Administrator and the Director upon request.

## f. BMP Plan Modification

The permittee shall submit to the Regional Administrator and the Director an amended BMP plan within 30 days of a change in the physical facility or a change in the operational procedures of the facility which materially increases the potential for the ancillary activities to result in a discharge of significant amounts of hazardous or toxic pollutants.

## g. Modification for Ineffectiveness

If the BMP proves to be ineffective in achieving the general objective of preventing the release of significant amounts of toxic or hazardous pollutants to surface waters and the specific objectives and requirements under Part I.E.2. herein, the permit and/or the BMP plan shall be subject to modification (40 CFR §122.64 and §122.63) to incorporate revised BMP requirements.

2. Specific Conditions

- a. Treatment, at a minimum, shall consist of an efficiently operated wastewater treatment system.
- b. A schedule for routinely monitoring and cleaning the wastewater treatment system shall be specified in the BMP plan. In addition, the BMP plan shall establish procedures for insuring compliance with part I.B.1 General Conditions and Part I.E.2. Specific Conditions during such cleaning or maintenance periods.
- c. The BMP shall establish a schedule for routinely cleaning and maintaining the total drainage area of all stormwater outfall, with particular emphasis on paved areas contributing runoff. In particular, the schedule shall specify periodic sweeping off all of paved areas within affected drainage areas. The BMP will keep a record of when the tasks have been completed and cleaning methods used.
- d. A schedule for cleaning and maintaining stormwater collection systems shall be established in the BMP. The schedule shall specifically address catch basins, and sumps. The BMP will keep a record of when each collection system is cleaned and the cleaning method used.
- e. The BMP shall establish deicing practices. The practices, if applicable, shall include the following:
  - (1) judicious application of salt and abrasives (i.e. sand)
  - (2) prohibitive use of chemicals deicing additives unless authorized by EPA and MA DEP
  - (3) maintenance of salt storage area.

3. Implementation Schedule

All Aspects of the updated BMP shall be implemented within one year of the date the final permit is issued.

**F. OPERATION AND MAINTENANCE OF THE SEWER SYSTEM**

Operation and maintenance of the sewer system shall be in compliance with the General Requirements of Part II and the following terms and conditions:

1. Maintenance Staff

The permittee shall provide an adequate staff to carry out the operation, maintenance, repair, and testing functions required to ensure compliance with the terms and conditions of this permit.

2. Alternate Power Source

In order to maintain compliance with the terms and conditions of this permit, the permittee shall continue to provide an alternative power source with which to sufficiently operate its treatment works (as defined at 40 CFR §122.2).

3. Chlorination System Report

Within 12 months of the effective date of the permit, the permittee will submit a report documenting the effectiveness of the chlorination and dechlorination systems. The report will specifically address how flow variability and chlorine demand variability affect compliance with the TRC and fecal coliform limits at all times. Sampling data shall be provided to support conclusions on how hourly and daily flow and chlorine demand variability affects permit compliance. The report will include a description of the chlorination and dechlorination systems and the methods for dosage control. The report will identify all changes necessary to ensure compliance with the TRC and fecal coliform limits at all times, including equipment modifications and upgrades, operational procedures (including calibration procedures and alarm/response procedures), and sampling protocols. The report will include a schedule for implementing all of the necessary changes. An annual report shall be submitted on February 19 of each year summarizing all exceedances of the TRC and fecal coliform effluent limits during the previous year, the estimated or measured fecal coliform and chlorine discharge levels during the exceedance, and measures taken to fix the problem and to prevent future occurrences.

**G. SLUDGE CONDITIONS**

1. The permittee shall comply with all existing federal and state laws and regulations that apply to sewage sludge use and disposal practices and with the CWA Section 405(d) technical standards.
2. The permittee shall comply with the more stringent of either the state or federal (40 CFR Part 503) requirements.

3. The requirements and technical standards of 40 CFR Part 503 apply to facilities which perform one or more of the following use or disposal practices.
  - a. Land application - the use of sewage sludge to condition or fertilize the soil
  - b. Surface disposal - the placement of sewage sludge in a sludge only landfill
  - c. Sewage sludge incineration in a sludge only incinerator
4. The 40 CFR Part 503 conditions do not apply to facilities which place sludge within a municipal solid waste landfill. These conditions also do not apply to facilities which do not dispose of sewage sludge during the life of the permit but rather treat the sludge (e.g. lagoons- reed beds), or are otherwise excluded under 40 CFR 503.6.
5. The permittee shall use and comply with the attached compliance guidance document to determine appropriate conditions. See Attachment B. Appropriate conditions contain the following elements:
  - General requirements
  - Pollutant limitations
  - Operational Standards (pathogen reduction requirements and vector attraction reduction requirements)
  - Management practices
  - Record keeping
  - Monitoring
  - Reporting

Depending upon the quality of material produced by a facility, all conditions may not apply to the facility.

6. The permittee shall monitor the pollutant concentrations, pathogen reduction and vector attraction reduction at the following frequency. This frequency is based upon the volume of sewage sludge generated at the facility in dry metric tons per year
 

less than 290	1/ year
290 to less than 1500	1 /quarter
1500 to less than 15000	6 /year
15000 +	1 /month
7. The permittee shall sample the sewage sludge using the procedures detailed in 40 CFR 503.8
8. The permittee shall submit an annual report containing the information specified in the guidance. Reports are due annually by February 19. Reports shall be submitted to the address contained in the reporting section of the permit.

**H. UNAUTHORIZED DISCHARGES**

The permittee is authorized to discharge only in accordance with the terms and conditions of this permit and only from those outfalls listed in Part I A.1. and 2. of this permit. Discharges of wastewater from any other point source are not authorized and shall be reported in accordance with Section D.1.e. (1) of the General Requirements of this permit ( Twenty-four hour reporting).

**I. MONITORING AND REPORTING**

**1. Reporting**

Monitoring results obtained during the previous month shall be summarized for each month and reported on separate Discharge Monitoring Report Form(s) postmarked no later than the 15<sup>th</sup> day of the month following the effective date of the permit.

Signed and dated originals of these, and all there reports required herein, shall be submitted to the Director and the State at the following addresses:

Environmental Protection Agency  
Water Technical Unit (SEW)  
P.O. Box 8127  
Boston, Massachusetts 02114

The State Agency address for all reports except toxicity tests is:

Massachusetts Department of Environmental Protection  
Bureau of Resource Protection  
Northeast Regional Office  
205A Lowell Street  
Wilmington, MA 01887

Signed and dated DMRs, and toxicity test reports required by this permit shall be submitted to the State at:

Massachusetts Department of Environmental Protection  
Division of Watershed Management  
Surface Water Discharge Permit Program  
627 Main Street, 2nd Floor  
Worcester, Massachusetts 01608

**J. STATE PERMIT CONDITIONS**

This Discharge Permit is issued jointly by the U. S. Environmental Protection Agency (EPA) and the Massachusetts Department of Environmental Protection (DEP) under Federal and State law, respectively. As such, all the terms and conditions of this permit are hereby incorporated into and constitute a discharge permit issued by the Commissioner of the MA DEP pursuant to M.G.L. Chap.21, §43.

Each Agency shall have the independent right to enforce the terms and conditions of this Permit. Any modification, suspension or revocation of this Permit shall be effective only with respect to the Agency taking such action, and shall not affect the validity or status of this Permit as issued by the other Agency, unless and until each Agency has concurred in writing with such modification, suspension or revocation. In the event any portion of this Permit is declared, invalid, illegal or otherwise issued in violation of State law such permit shall remain in full force and effect under Federal law as an NPDES Permit issued by the U.S. Environmental Protection Agency. In the event this Permit is declared invalid, illegal or otherwise issued in violation of Federal law, this Permit shall remain in full force and effect under State law as a Permit issued by the Commonwealth of Massachusetts.